

Application Number: 10/080,972

Docket Number: 10017067-1

**REMARKS**

Upon entry of this Response, claims 1, 3-10, 13-14, and 17-19 remain pending in the present patent application. Claims 2, 11-12, and 15-16 have been canceled, and claims 1, 10, 14, and 18 have been amended herein. Applicant respectfully requests reconsideration of the pending claims in view of the following remarks.

In item 3 of the Office Action, Applicant's previous arguments filed on October 28, 2005 were considered but were deemed not persuasive. Specifically, it is alleged that Applicant's arguments amounted to a general allegation that the claims define a patentable invention without specifically pointing out how language of the claims patentably distinguishes them from the references. Thus, the Office Action restated the rejections of the prior Office Action. In response to the final Office Action of January 30, 2006, Applicant presents amendments herein that incorporate subject matter from dependent claims into independent claims.

Also, Applicant specifically points out in the remarks here below how the claimed invention is patentably distinct from the cited prior art reference. Applicant asserts that the amendments presented herein do not present new issues as they merely incorporate subject matter from dependent claims into independent claims. Accordingly, Applicant asserts that the amendments presented herein are properly presented after a Final Office Action and do not present new issues.

To begin, in item 5 of the Office Action, claims 1-9 are rejected under 35 U.S.C. §102(b) as being anticipated by "XSL transformation (XSLT) ver. 1.0," W3C recommendation, 16 Nov. 1999 (art of record) (hereafter "*XSLT Specification*"). Anticipation under §102 "requires the disclosure in a single prior art reference of each element of the claim under construction. W.L. Gore & Associates, Inc. v. Garlock, Inc., 220 U.S.P.Q. 303, 313 (Fed. Cir. 1983). Applicant notes that claim 2 is canceled herein, thereby rendering this rejection moot with respect to this claim. Applicant asserts that claim 2 as originally filed was patentably distinct from the cited prior art reference. Therefore, claim 1 as amended to incorporate the subject matter of claim 2 is patentably distinct from the *XSLT specification*. Accordingly, Applicant requests that the rejection of claims 1-9 be withdrawn for the reasons that follow.

To begin, claim 1 as amended recites as follows:

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1. A transformation method, comprising:  
providing a transformation processor;  
providing a prototype transform and an interpretive transform; and  
transforming at least one source document into an output document with the transformation processor by interpreting, using the transformation processor, a number of interpreted instructions in the prototype transform with a number of interpretive instructions from the interpretive transform, wherein a number of transformation specific instructions are processed in the prototype transform and a number of transformation generic instructions are processed in the interpretive transform, where the interpretive instructions are transformation generic with respect to the transformation of the at least one source document into the output document, and the transformation specific instructions are transformation specific with respect to the transformation of the at least one source document into the output document.

As set forth above, the transformation specific instructions processed in the prototype transform are transformation generic with respect to the transformation of the source document into the output document. Also, the transformation specific instructions in the interpretive transform are transformation specific with reference to the transformation of the source document into the output document. In this respect, the transformation instructions are separated into separate transforms (the "prototype" transform and the "interpretive" transform) that allow for easier programming to facilitate various kinds of transformations of source documents into output documents.

This addresses the fact that many documents in the news industry that are transmitted across the Internet for use by various publishing institutions do not comport with specific news formats as accepted by the industry and require individual news organizations to transform such documents into proper formats so that they may be compatible with their publishing systems. However, as stated in the specification, it may be burdensome to create a single transform to address each individual type of transformation that would have to be performed for all the different types of formats of news stories that are distributed over the Internet in this manner.

The present invention as set forth in claim 1 significantly reduces the burden of generating a unique transform for each unique type of transformation may have to be performed in order to transform documents of different formats into a format compatible

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with publishing systems. Specifically, by delineating between transformation specific instructions and transformation generic instructions and placing them in their respective files, one need not recreate or include transformation generic instructions in each transform that is employed to transform a specific format of a document into a desired output format.

In this respect, in order to create a transform for a given document into a desired format, one need only create a prototype transform which includes only transformation specific instructions that can then be processed in concert with the transformation generic instructions of the interpretive transform. This significantly reduces the programming burden that would have to be implemented in order to address all the various types of transforms of articles that would be needed given the many different formats that might be employed to distribute news articles to various publications in the world. That is to say, programmers can reuse a the interpretive transform for multiple transformations, and need not recreate a single transform with both transformation specific and transformation generic instructions every time.

Applicant simply asserts that the *XSLT specification* fails to show or suggest the delineation of transformation specific and transformation generic instructions into separate transforms and the implementation of transformations of documents in this manner. Accordingly, Applicant asserts that the *XSLT specification* fails to show or suggest each of the elements of claim 2 as originally filed, and claim 1 as amended herein. Therefore, Applicant respectfully requests that the rejection of claim 1 be withdrawn. In addition, Applicant requests that the rejection of claims 3-9 be withdrawn as depending from claim 1 as amended herein.

In addition, in item 7 of the Office Action, claims 10-19 have been rejected under 35 U.S.C. §103(a) as being unpatentable over the *XSLT specification* in view of U.S. Patent Application Publication No. 2002/0143823 filed by Stevens (hereafter "*Stevens*"). A prima facie case of obviousness is established only when the prior art teaches or suggests all of the elements of the claims. *MPEP* §2143.03, *In re Riickaert*, 9 F.3d 1531, 28 U.S.P.Q.2d 1955, 1956 (Fed. Cir. 1993). It is noted that claims 11-12, and 15-16 have been canceled herein, thereby rendering this rejection moot with respect to such claims. Applicant notes that claims 10 and 14 have been amended

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herein to include subject matter of claims 11 and 12, 15, and 16. Also claim 18 has been amended in a similar manner. Accordingly, Applicant asserts that the cited combination of references fails to show or suggest each of the elements of claims 10, 14, and 18 to the extent that these claims incorporate subject matter similar in scope with that of claim 1 as amended above. Therefore, Applicant respectfully requests that the rejections of claims 10, 14, and 18 be withdrawn. In addition, Applicant requests that the rejection of claims 13, 17, and 19 be withdrawn as depending from claims 10, 14, or 18, respectively.

### CONCLUSION

Applicant respectfully requests that all outstanding objections and rejections be withdrawn and that this application and all presently pending claims be allowed to issue. If the Examiner has any questions or comments regarding this Response, the Examiner is encouraged to telephone the undersigned counsel of Applicant.

Respectfully submitted,



Michael J. D'Aurelio  
Reg. No. 40,977

**Thomas, Kayden, Horstemeyer & Risley, L.L.P.**  
100 Galleria Parkway, N.W.  
Suite 1750  
Atlanta, Georgia 30339-5948  
Phone: (770) 933-9500  
Fax: (770) 951-0933